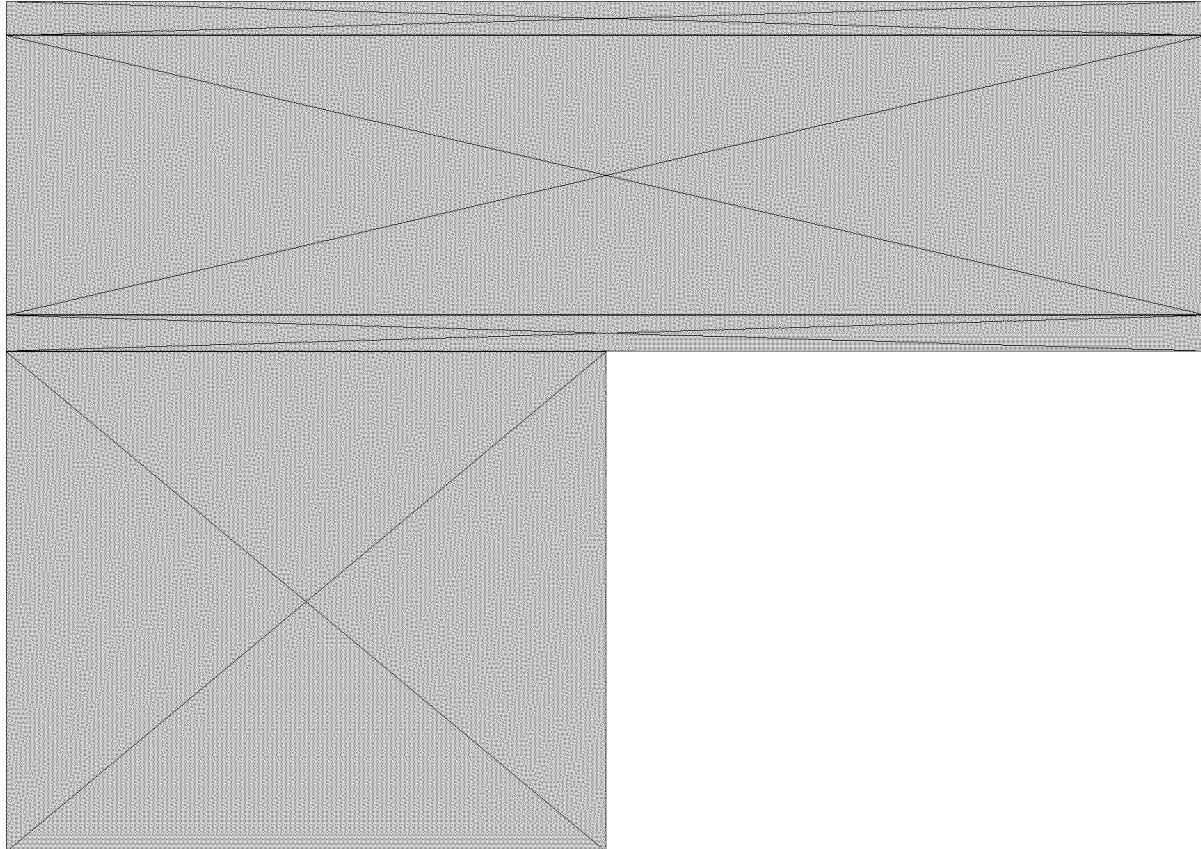


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**From:** EnergyGuardian  
**Sent:** Thur 3/6/2014 12:25:48 PM  
**Subject:** House efficiency bill passage turns attention to Senate

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Energy and environment headlines for the morning of Thursday, March 6, 2014



## House efficiency bill passage turns attention to Senate

**By Edward Felker**

The easy House passage of a voluntary energy efficiency bill sets the stage for the Senate to try again to approve a revised package of efficiency programs, a key backer said Wednesday.

Sen. Jeanne Shaheen, D-N.H., said her bill with Sen. Rob Portman, R-Ohio, should get a chance now that the House has shown its support for expanded federal efficiency measures.

"I'm eager to build on the bipartisan momentum from the House and work with my colleagues in the Senate to pass my energy efficiency bill with Sen. Portman," she said in a statement.

The House passed the Energy Efficiency Improvement Act, a package of four voluntary efficiency bills sponsored by Rep. David McKinley, R-W. Va., and Rep. Peter Welch, D-Vt., on a 375-36 vote.

The programs in the bill would encourage commercial building energy and federal government energy savings and allow for water heaters to be used in electricity demand response programs.

Similar provisions are included in the Shaheen-Portman measure, which the senators re-introduced last week with additions and changes to attract Republican support. The bill was brought up for debate in the Senate last September but stalled under the weight of Republican amendments on Obamacare and other issues.

The House legislation was touted by Republican leaders as part of their agenda this week to pass energy legislation that lower costs to consumers.

Three other energy bills have drawn veto threats from the White House, but the efficiency package was not among them.

The others are up for votes as soon as Thursday. The bills would seek to speed up regulatory approvals of permits for energy projects, reinstate a 2008 Bush administration rule on mountaintop coal mining, and stop the Environmental Protection Agency from imposing new carbon limits on coal-fired power plants.

House Energy and Commerce Chairman Fred Upton, R-Mich., called on the Senate to act on the House measure, though it is more likely to take up the broader Shaheen-Portman bill -- if the two senators can rally enough support to bring it to a floor vote.

"It is my hope the Senate will build upon our bipartisan success and swiftly approve this legislative package to improve efficiency," he said.

Efficiency advocacy groups added to the calls for Senate action.

"The U.S. House showed again there is true bipartisan support for energy efficiency and the benefits efficiency brings to consumers, the economy, and the environment. We urge the Senate to take up the mantle and pass the Shaheen-Portman energy efficiency bill," said Lowell Ungar, a senior adviser at the American Council for an Energy-Efficient Economy.

Kateri Callahan, president of the Alliance to Save Energy, said House passage of the bill showed efficiency is an energy goal that can get through congressional gridlock.

She said the strong majority vote for the bill marks "the beginning of a new era of bipartisan

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cooperation on energy efficiency policies that will strengthen the U.S. economy, create jobs, enhance our environment and increase our energy security."

Adding to the calls for Senate action was Real Estate Roundtable President Jeffrey D. DeBoer. "The Roundtable hopes that the House's action today will spur the Senate to bring its version of energy-efficiency legislation to a vote in short order," he said.

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## **House GOP moves to block EPA rules on power plants**

**By Matthew Daly**

WASHINGTON (AP) — In a long-expected skirmish, House Republicans are moving to block President Barack Obama's plan to limit carbon pollution from new power plants.

A bill targeting the power plant rule is slated for a vote on the House floor Thursday as GOP lawmakers fight back against what they call the Obama administration's "war on coal." Obama's proposal, a key part of his plan to fight climate change, would set the first national limits on heat-trapping pollution from future power plants.

A measure sponsored by Rep. Ed Whitfield of Kentucky, chairman of a House subcommittee on energy and power, would require the Environmental Protection Agency to set carbon emissions standards based on technology that has been in use for at least a year. Republicans and some coal-state Democrats say the EPA rule is based on carbon-capturing technology that does not currently exist.

Whitfield called the power plant proposal "one of the most extreme regulations of the Obama administration," adding that it would "make it impossible to build a new coal-fired power plant in America."

The White House has threatened to veto the measure, saying it would "undermine public health protections of the Clean Air Act and stop U.S. progress in cutting dangerous carbon pollution from power plants." Power plants account for about one-third of U.S. emissions of

carbon dioxide and other greenhouse gases that contribute to global warming.

EPA Administrator Gina McCarthy and other officials have said the proposed rule — the first of two major regulations aimed at limiting carbon pollution from power plants — is based on carbon reduction methods that are "technically feasible" and under development in at least four sites. The rule affecting future plants is a prelude to a more ambitious plan, expected later this year, to control carbon pollution at existing power plants.

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## **Congress rushing to put in place Russia sanctions**

**By Bradley Klapper**

WASHINGTON (AP) — Congress is rushing to put in place hard-hitting sanctions on Russia in response to its takeover of Ukraine's Crimean Peninsula, hoping Europe will follow the lead of the United States in upping the pressure on President Vladimir Putin's government.

The U.S. sanctions push represents a rare case of broad agreement among the Obama administration and Democrats and Republicans in both houses of Congress. But they're also united in their concern that American economic penalties will mean little without the participation of European countries with far deeper commercial relations with Russia.

The Senate is taking the lead with legislation that would combine loan guarantees to Ukraine's fledgling government and measures against Russian government officials, state-owned banks and companies. The goal of the sanctions is to force Putin to withdraw Russian troops from Crimea. The bill could be introduced as early as next week.

Meanwhile, House Republicans have circulated a bill paying for the loan guarantees, while the top Republican and Democrat on the House Foreign Affairs Committee introduced a resolution Wednesday condemning Russia's actions in Ukraine and calling on the Obama administration to impose "visa, financial, trade and other sanctions." The committee will address the resolution Thursday after hearing testimony from State Department and Treasury officials.

Since last weekend, Russian troops have taken control of much of the peninsula on the Black Sea, where ethnic Russians are the majority. Moscow doesn't recognize the Ukrainian leadership that came to power after protesters ousted the country's pro-Russian president last month. Putin and other officials have cited strategic interests as well as the protection of ethnic Russians in making the case for intervention.

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## **Oil price edges down again as Ukraine jitters ease**

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## By The Associated Press

Oil prices declined further Thursday but stayed above \$101 per barrel as concern about Ukraine eased and U.S. supplies rose.

Benchmark U.S. crude for April delivery was down 13 cents at \$101.32 per barrel at 1040 GMT in electronic trading on the New York Mercantile Exchange. On Tuesday, oil plunged \$1.88, or 1.8 percent, to close at \$101.45.

Brent crude, used to set prices for international varieties of crude, was up 21 cents to \$107.97 per barrel on the ICE exchange in London. It dropped \$1.54 a day earlier to \$107.76 a barrel.

Market jitters eased even as leaders of the 28-nation European Union met in Brussels to decide on whether to impose sanctions against Russia over its military incursion into Ukraine's Crimean Peninsula. Oil prices surged earlier on fears sanctions against Russian exports might disrupt supplies.

In the U.S., the Energy Department's Energy Information Administration said supplies of oil rose by 1.4 million barrels last week. Also, demand for gasoline and distillate fuels, which include diesel and heating oil, fell over the past four weeks compared with a year ago, the agency said.

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## **Crimea lawmakers schedule vote on joining Russia**

### By Tim Sullivan and Yuras Karmanau

SIMFEROPOL, Ukraine (AP) — Lawmakers in Crimea called a March 16 referendum on whether to break away from Ukraine and join Russia instead, voting unanimously Thursday to declare their preference for doing so.

"This is our response to the disorder and lawlessness in Kiev," Sergei Shuvainikov, a member of the local Crimean legislature, said. "We will decide our future ourselves."

The 100-seat parliament in Crimea, which enjoys a degree of autonomy under current Ukrainian law, voted 78-0, with eight abstentions in favor of holding the referendum, and for joining Russia. Local voters will also be given the choice of deciding to remain part of Ukraine, but with enhanced local powers.

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## **Feds to update public on mishap at WIPP nuke**

## dump

**By Susan Montoya Bryan**

ALBUQUERQUE, N.M. (AP) — The U.S. Department of Energy is planning a town hall Thursday to release more information on its efforts to recover from a radiation leak at the nation's only underground nuclear waste dump.

Questions about what caused the leak at the Waste Isolation Pilot Plant, the extent of the contamination and the future of the federal government's national nuclear cleanup efforts have been swirling for weeks now.

Officials said further testing on the 13 workers who were at the plant at the time of the leak shows they aren't likely to experience any serious health effects.

On Wednesday, Jose Franco, manager of the DOE's Carlsbad Field Office, told community members in a letter that the sampling being done by the federal government and others is "showing a positive trend" as levels return to normal.

"I want to assure you that we are working diligently to address your questions and concerns," he wrote. "We have not faced this kind of challenge in our 15-year history of waste operations, but I have the utmost confidence in the recovery team."

WIPP stopped taking shipments in early February when a truck hauling salt through the underground mine caught fire. Several workers were treated for smoke inhalation, and the mine was temporarily closed.

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### **A message from the American Petroleum Institute**

**America is now the world's #1 natural gas producer and is expected to become #1 in oil by 2015. Smart energy policies can create jobs, grow our economy and establish America as a global energy leader.**

[Learn more at ChooseEnergy.org](http://ChooseEnergy.org)

## **W.Va. House passes chemical spill regulation bill**

**By Jonathan Mattise**

CHARLESTON, W.Va. (AP) — After weeks of debate and rewrites, West Virginia House delegates passed new safeguards Wednesday for storage tanks and public water supplies in the wake of a Jan. 9 chemical spill.

In a 95-0 vote, House lawmakers passed new requirements for medical monitoring, early detection technology at water plants, protection plans against pollutants in drinking water supplies and new oversight for aboveground storage tanks.

"What we were looking at was trying to restore public confidence, not only in government and government agencies, but also in a private water company," said Del. Nancy Peoples Guthrie, D-Kanawha.

The spill in Charleston contaminated water for about 300,000 people for four to 10 days, shaking the public's confidence in their water and those tasked with protecting it. The spill also left thousands of people wondering about the long-term effects of consuming, bathing and cooking with their tap water.

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## **Record fine proposed for coal mining operations**

**By Dina Cappiello**

WASHINGTON (AP) — The Obama administration is proposing a record fine for thousands of water pollution violations by coal mine operators in five Appalachian states.

Alpha Natural Resources Inc., the nation's third-largest coal supplier, will pay a \$27.5 million fine and spend \$200 million to reduce illegal toxic discharges from 79 mines and 25 coal processing facilities in West Virginia, Tennessee, Pennsylvania, Virginia and Kentucky.

The deal, which marks the largest fine ever for violations of water pollution limits, was filed in federal court Wednesday. It comes after a series of coal-related spills in West Virginia and North Carolina have raised questions about whether state and federal environmental officials are doing enough to curb water pollution from companies mining, processing, transporting and burning coal.

Advocacy groups said that environmental officials should do more to prevent pollution from entering waterways.

Officials with the Environmental Protection Agency and Justice Department characterized the deal as historic and said the fine was large enough to deter others in the coal industry from flouting the law.

But advocacy groups said state and federal authorities needed to do more to prevent the pollution from occurring in the first place. Environmental groups have filed lawsuits in several states to enforce the law in situations where they have felt the state and federal government have fallen short. In West Virginia, lawmakers and the governor have tried to thwart those efforts with legislation.



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## **Landowners file lawsuit over Missouri River floods**

**By Josh Funk**

OMAHA, Neb. (AP) — A group of farmers and business owners sued the U.S. Army Corps of Engineers on Wednesday, saying the agency's decisions since 2006 have contributed to major flooding in five states.

The federal lawsuit said landowners should be compensated for the extensive damage they experienced — particularly during the extended 2011 flooding that devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

The lawsuit filed by more than 200 landowners said the Corps has deemphasized flood control while deciding how to manage Missouri River reservoirs as part of an effort to restore habitat for endangered species, and it claimed that has contributed to more flooding.

"These floods have substantially impacted and destroyed Plaintiffs' land and property, depriving them of its use and enjoyment for extended periods of time and, in some cases, permanently," the lawsuit said. "But for the Corps' departure from its longstanding flood control policies and procedures, most if not all of this flooding would not have occurred at all."

Officials from the Corps declined to comment on the lawsuit Wednesday because their policy is not to comment on pending litigation.

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## **Louisiana: Flood board nominating panel eyes Jindal bills**

**By The Associated Press**

NEW ORLEANS (AP) — The panel that selects nominees for a controversial New Orleans area flood control board — a board that is suing more than 90 oil, gas and pipeline companies — is set to discuss legislation affecting its independence.

Thursday's agenda for the panel's meeting in New Orleans includes a discussion of pending legislation for the session that starts next week.

One bill already filed would give the governor the power to reject the committee's nominees.

for the Southeast Louisiana Flood Protection Authority-East. That's the board that filed the oil industry lawsuit last year, saying the industry's coastal work over the decades has contributed to the erosion of wetlands that form a natural hurricane buffer for New Orleans.

Gov. Bobby Jindal opposes the lawsuit.

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## **Texas grid operator says 4 new plants will ease demand**

**By The Associated Press**

AUSTIN, Texas (AP) — The operator of the electric distribution grid for most of Texas says the launch this summer of new generating plants will ease high demand in the coming months that could require conservation measures.

The Electric Reliability Council of Texas said Wednesday that one plant should be online in July, with the other three by Aug. 1.

Peak demand this summer is expected to exceed 68,000 megawatts but ERCOT officials say the natural gas-fired plants will generate more than 2,100 megawatts. One megawatt is enough to power about 200 homes during peak periods.

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## **Michigan charges energy companies with bid-rigging**

**By The Associated Press**

CHEBOYGAN, Mich. (AP) — Michigan Attorney General Bill Schuette said Wednesday that he has filed criminal charges against Chesapeake Energy Corp. and Encana Corp., accusing them of colluding to avoid bidding against each other for Michigan oil and gas leases.

Schuette said the antitrust violations happened in 2010, when Oklahoma City-based Chesapeake and Calgary, Alberta-based Encana bought natural gas leases in Michigan.

"I will aggressively prosecute any company who conspires to break the law," he said.

In a statement, the attorney general's office said it suspects collusion was responsible for a steep drop in the price of drilling rights auctions in Michigan.

"In the five-month period following the state's May 2010 auction, this alleged conspiracy may have been a key driver behind the state-held lease price in Michigan going from \$1,510

per acre in May 2010 to less than \$40 an acre at the October 2010 auction," Schuette's office said.

An arraignment is scheduled March 19 in Cheboygan County District Court in Cheboygan for representatives of the two companies. The charges carry a penalty of up to two years' imprisonment for individuals and a fine of up to \$1 million for corporations.

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## NY bill adds penalties for polluting criminals

By The Associated Press

ALBANY, N.Y. (AP) — The New York state Senate has approved legislation designed to hold criminals responsible for the environmental damage occurring during their crimes.

Sponsors say current criminal mischief statutes don't adequately address environmental devastation, so the bill would make crimes that result in large-scale environmental damage a class C felony.

The bill approved Wednesday is sponsored by Sen. Joseph Robach of Rochester. He pointed to an incident in western New York in which criminals who broke into an electrical transformer to steal copper caused an oil spill that caused \$1 million worth of environmental damage.

The bill was sent to the Assembly.

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## **NY fines CSX \$10,000 over 2 oil train derailments**

By The Associated Press

ALBANY, N.Y. (AP) — The New York state Department of Transportation has fined CSX Railroad \$10,000, saying it failed to report two oil train derailments within an hour of when they happened as required by state law.

A Feb. 25 derailment in Kingston involved empty rail cars that had contained crude oil. A Feb. 28 derailment at the Selkirk yard near Albany involved a train loaded with crude oil. The cars remained upright and nothing spilled.

Transportation Commissioner Joan McDonald said Wednesday that CSX didn't notify the department of the Selkirk derailment until two hours later.

Florida-based CSX Corp. said the derailments were "appropriately handled," and the company will work with the state and communities on improving communication.

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## 3 sentenced to time served for Enbridge pipeline protest

By The Associated Press

MASON, Mich. (AP) — Three women have been sentenced to time served in the Ingham County jail and 13 months' probation for trespassing and obstructing police at the site of an Enbridge Inc. oil pipeline project.

The three were among about 40 people who protested July 22, 2013, at an Enbridge construction site in Stockbridge Township. The women attached themselves to excavators.

An Ingham County Circuit Court jury found them guilty Jan. 31.

Circuit Judge William Collette issued the sentences Wednesday for 35-year-old Lisa Leggio of Holland, 22-year-old Barbara Carter of Detroit and 40-year-old Vicki Hamlin of Michigan City, Ind.

Calgary, Alberta-based Enbridge is replacing a 285-mile pipeline between Sarnia, Ontario, and Griffith, Ind. The line ruptured in 2010, dumping about 800,000 gallons of crude oil into the Kalamazoo River system.

## **Moniz sees solar-battery combo as an energy sector game-changer**

Never mind the shale boom, the rapidly developing technology surrounding solar panels and batteries has the power to transform the U.S. economy, Energy Secretary Ernest Moniz told Bloomberg at the CERAWeek conference in Houston.

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## **Fruits of fracking could lend muscle to US energy diplomacy**

The State Department hopes burgeoning U.S. supplies of natural gas may help it apply diplomatic pressure against Russia in the current Ukraine crisis, The New York Times reports.

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## **DOE could look again at LNG exports: Moniz**

Energy Secretary Ernest Moniz, as the U.S. looks to exercise its diplomatic muscle during the Ukraine crisis, gave strong indications that his department will revisit the way it handles approvals for natural gas exports, FuelFix reports.

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### **KKR to make big energy move with \$2B fund**

Trying to capitalize on the U.S. energy boom, major private equity player Kohlberg Kravis Roberts has raised \$2 billion for an energy fund that will invest in the oil and gas industry, The New York Times reports.

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### **Green energy outburst from Apple's Cook shows new era of corporate responsibility**

Tim Cook's outburst at an Apple shareholders' meeting when challenged by the National Center for Public Policy Research over green energy is a sign of a new era of corporate responsibility, The Washington Post reports.

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### **Producers must control methane for natural gas to be green fuel: EDF**

Producers must limit methane leaks for natural gas to be considered a green fuel, Environmental Defense Fund President Fred Krupp said at the CERAWEEK conference Wednesday, FuelFix reports.

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### **Vermont towns voice opposition to tar sands**

More than a dozen Vermont communities passed anti-tar sands resolutions at this year's Town Meeting, Vermont Public Radio reports, in response to Portland Pipe Line Corp.'s potential use of an existing line crossing the state to transport diluted tar sands bitumen.

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### **Canada board to rule whether Enbridge can send heavier crude east**

Canada's National Energy Board is set to rule on a controversial pipeline application from Enbridge, to reverse the flow and increase capacity on Line 9 to send heavier crude to eastern refineries, The Canadian Press reports.

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### **RI's Whitehouse to visit Iowa to push climate change fight**

Sen. Sheldon Whitehouse, D-R.I., will visit Iowa later in March, hoping to bring the issue of climate change to the forefront in a state that holds the first caucuses in the 2016 presidential campaign, The Hill reports.

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## **Former Jindal chief of staff Rainwater becoming a lobbyist**

Louisiana Gov. Bobby Jindal's former chief of staff, Paul Rainwater, says he's opening his own lobbying and consulting firm, The Advocate reports from Baton Rouge.

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## **Upcoming Events**

- Mar. 6, Washington: Edison Foundation Institute for Electric Innovation hosts "Powering the People: Next Generation Utility" forum. Former Obama climate adviser Heather Zichal gives 1 p.m. keynote address. 12:00 pm , Newseum.
- Mar. 6, Washington: Senate Commerce Science and Transportation Committee transportation subcommittee hearing, "Enhancing our Rail Safety: Current Challenges for Passenger and Freight Rail." Administration witnesses to testify. Rescheduled from Feb. 13. 11:00 am , Russell 253.
- Mar. 6, Washington: Senate Environment and Public Works Committee hearing, "Preventing Potential Chemical Threats and Improving Safety: Oversight of the President's Executive Order on Improving Chemical Facility Safety and Security." EPA Assistant Administrator for Solid Waste and Emergency Response Mathy Stanislaus, Chemical Safety Board Chairman Rafael Moure-Eraso to testify. 10:00 am , Dirksen 406.
- Mar. 6, Washington: American Petroleum Institute holds media teleconference to discuss comments to be submitted on State Department's Keystone XL national interest determination. 10:00 am , by teleconference.
- Mar. 6, Houston: IHS Energy CERAWEEK 2014 conference Day 4. EPA Administrator Gina McCarthy to deliver 1 p.m. keynote, FERC Acting Chairman Cheryl LaFluer to deliver 2:30 p.m. keynote, Deputy Energy Secretary Dan Poneman appears on afternoon infrastructure panel. Continues through Friday. 9:00 am , The Hilton-Americas Hotel.
- Mar. 6, Washington: House Energy and Commerce Energy and Power Subcommittee hearing, "Benefits of and Challenges to Energy Access in the 21st Century: Fuel Supply and Infrastructure." EIA Administrator Adam Sieminski, industry, expert witnesses to speak. 9:00 am , Rayburn 2123.

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